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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Bernadine Morimoto, as Personal Representative
of the ESTATE OF ABGYGAILE B., deceased;
EMBER B., a minor, by and through maternal
grandmother and legal guardian, Bernadine
Morimoto; and KARRIAH M., a minor, by and
through maternal grandmother and legal guardian,
Bernadine Morimoto,

Plaintiffs,

vs.

RICHARD WHITLEY, Director of the Nevada
Department of Health and Human Services;
KELLY WOOLRIDGE, Administrator of the
Nevada Division of Child and Family Services;
DONALD BURNETTE, Clark County Manager;
CLARK COUNTY; TIMOTHY BURCH, Director
of Clark County Department of Family Services;
JAMES HARDEE, individually; HOPELINK OF
SOUTHERN NEVADA, a Nevada Non-Profit
Corporation; SHERRY BENNETT, individually;
JUSTIN TOM BENNETT, individually; DOES I-
X, inclusive; ROES XI-XX, inclusive;

Defendants.

CASE NO.: 2:17-cv-01774-APG-GWF

**STIPULATION TO MODIFY
SCHEDULING ORDER
DEADLINES
(2nd REQUEST)**

This Stipulation to modify the scheduling order is entered into by and between Plaintiff
BERNADINE MORIMOTO, as Personal Representative of the Estate of Abygaile B. and legal
guardian and maternal grandmother of Ember B. and Karriah M.; and Defendants DONALD

BURNETTE; TIMOTHY BURCH; CLARK COUNTY; JAMES HARDEE; and HOPELINK OF SOUTHERN NEVADA, by and through their attorneys of record, pursuant to LR IA 6-1 and LR 26-4 and based upon the following. This is the second request for an extension of the discovery deadlines.

(a) A STATEMENT OF DISCOVERY COMPLETED TO DATE:

Plaintiffs and Defendants Clark County, James Hardee, and Hopelink have exchanged initial disclosures of documents and the names of individuals with knowledge of the facts pertaining to Plaintiffs' claims against Defendants and have supplemented those disclosures. The parties have propounded and responded to written discovery. The remaining parties have propounded and responded to written discovery. Plaintiffs have subpoenaed the records from Henderson Police Department and Las Vegas Metropolitan Police Department and are awaiting receipt of those documents for disclosure. Plaintiffs and Defendants are in the process of coordinating depositions.

(b) A SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE COMPLETED:

- (1) Defendants anticipate taking the deposition of Bernadine Morimoto, Korie Morimoto, Sherry Bennett, and Kenneth Morimoto;
- (2) Plaintiffs anticipate taking the depositions of Defendants James Hardee; Karen Kyger; the 30(b)(6) witness for Hopelink of Southern Nevada; 30(b)(6) witness for Clark County; Timothy Burch; Donald Burnette; Richard Whitley; and Kelly Woolridge;
- (3) Receipt of documents pursuant to subpoenas to Las Vegas Metropolitan Police Department and Henderson Police Department;
- (4) Disclosure of expert witnesses;
- (5) Depositions of the parties' expert witnesses;
- (6) Additional document production.

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1 (c) **THE REASON WHY DISCOVERY REMAINING WAS NOT COMPLETED**
2 **WITHIN THE TIME LIMITS SET BY THE DISCOVERY PLAN**

3 The parties aver, pursuant to Local Rule 6-1, that good cause exists for the requested
4 extension. The parties agree that, pending this Court's approval, extension of the discovery
5 deadlines is appropriate. This is the parties' second request for an extension of the discovery
6 deadlines. Defendants Hopelink of Southern of Nevada and James Hardee filed a motion for leave
7 to add new parties and discovery was halted while the parties awaited this Court's decision on
8 this Motion, which was denied without prejudice and re-filed on June 7, 2018. Additionally, the
9 parties are currently awaiting an order from the Court regarding Defendants Clark County, Donald
10 Burnette and Timothy Burch's Motions to Dismiss. The parties also wish to further investigate
11 this case but given the ongoing criminal investigations and prosecutions of Justin Bennett and
12 Sherry Bennett, access to this information is limited. This request is being filed more than 21
13 days before the expiration of the discovery deadline. The parties are seeking a 90-day continuance
14 of below referenced dates.

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(d) **A PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING
DISCOVERY:**

Description:	Current Deadline:	Proposed Deadline:
Expert disclosure deadline	July 6, 2018	October 5, 2018
Rebuttal expert disclosure	August 6, 2018	November 5, 2018
Discovery Deadline	September 5, 2018	December 4, 2018
Dispositive Motion Deadline	October 5, 2018	January 4, 2019
Pre-Trial Order Deadlines	November 2, 2018	February 4, 2019
Amend Pleadings and Add Parties	June 7, 2018	Closed
Interim Status Report	July 6, 2018	October 4, 2018

DATED: 11th day of June, 2018.

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By /s/ Whitney J. Barrett
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DATED: 11th day of June, 2018.

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BY /s/ Felicia Galati
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DATED: 11th day of June, 2018.

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BY /s/ Danielle A. Kolkoski
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Southern Nevada and James Hardee*

1 **IT IS SO ORDERED.**
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4 **UNITED STATES MAGISTRATE JUDGE**

5 **DATED:** 6-12-2018
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